



FREEDOM IN THE WORLD 2020

Dominica

FREE

93
/100

<u>Political Rights</u>	37 /40
<u>Civil Liberties</u>	56 /60

LAST YEAR'S SCORE & STATUS

93 /100 Free

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

Dominica is a parliamentary democracy and has been governed by the Dominica Labor Party (DLP) since 2000. While the country is committed to democratic governance and civil liberties are generally upheld, a number of concerns persist; these include effective management of elections, judicial efficiency, and high levels of corruption in government—notably relating to the country’s Citizenship by Investment (CBI) program.

Key Developments in 2019

- In the December general parliamentary election, the incumbent Dominica Labor Party (DLP) won convincingly, and Prime Minister Roosevelt Skerit returned as prime minister. Electoral observers noted that the vote was free and credible, though the campaign was punctuated by unrest, with the opposition objecting to the lack of electoral reform.
- In July, a gay man, who chose to remain anonymous for his own safety, filed a claim against Dominica’s colonial era laws that criminalize same-sex sexual relations, arguing that the laws violate “numerous rights guaranteed in the Constitution of Dominica.”

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

4/4

The president, who is the ceremonial head of state, is nominated by the prime minister and opposition leader, and elected by the House of Assembly for a five-year

term. The prime minister is head of government and is appointed by the president.

The leader of the governing DLP, Roosevelt Skerrit, retained his position as prime minister after his party won a majority of the parliamentary seats in the 2019 general elections. Despite the overall credibility of the elections, the campaign was marred by unrest due to opposition concerns over the lack of electoral reform and a corruption scandal involving Skerrit. To ensure the elections passed without incident, a request was made by the government for personnel from the Regional Security System of the Caribbean—an organization comprising several Eastern Caribbean states to provide mutual assistance and ensure stability and well-being among members—to be deployed to Dominica four days before the election.

In October 2018, the government reelected former minister of security Charles Savarin as president. Savarin received the full support of the DLP, but the opposition United Workers' Party (UWP) walked out of the parliamentary confirmation session in protest of what they said was an irregular nominating process, which had not followed procedures set out in the Constitution.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

4/4

Dominica's unicameral House of Assembly consists of 30 members who serve five-year terms; 21 members are directly elected, 5 senators are appointed by the prime minister, and 4 are appointed by the opposition leader. There are two ex-officio members: the House speaker and the clerk of the House.

The DLP won 18 seats in the 2019 general elections and the UWP captured 3. Turnout was historically low, with only 54 percent of eligible voters participating. The polls were monitored by the Caribbean Community (CARICOM), the Organization of American States (OAS), and the Commonwealth of the United Kingdom. They generally concluded that voters were able to cast their ballots without intimidation or fear, and that the results reflected the will of the people. However, the campaign was marred by unrest due to opposition concerns over the lack of electoral reform, and

to ensure the elections passed without incident members of the Regional Security System of the Caribbean were deployed.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

3/4

The Electoral Commission manages and organizes the election process, and the electoral laws are generally fair. However, there are concerns over aspects of the electoral process. In the aftermath of the 2014 elections several recommendations were made, and there was an expectation that the government would support some reforms, including the updating and modernizing of the voters list and the issuance of voter identification cards that would address concerns about voting by members of the Dominican diaspora. The government instituted no electoral reform and opposition supporters accused DLP officials of buying plane tickets home for Dominicans living abroad, so as to enable them to vote. Opposition protests turned violent in the lead-up to the December 2019 elections, raising concerns that the outcome of the election would not be accepted by the opposition as legitimate. After the 2019 elections, the OAS recommended a series of changes, such as issuing photo ID cards to voters; introducing an electronic voting system; undertaking a review of the voter list; and introducing legislation to regulate political party and campaign financing. In response to the pressures for reform, the government appointed a commission in mid-December to advise on possible improvements to the electoral system. At the end of December, the opposition challenged the results in ten constituencies won by the DLP.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or

other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

4/4

Political parties are free to organize and operate. The effects of the country's first-past-the-post electoral system has entrenched two-party politics, and while there are a number of small political parties in the country, since 2005 only the DLP and UWP have won seats in parliament.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

4/4

Opposition parties are unencumbered by formal restrictions and are generally free to operate. There has not been a change of party in government since 2000, but this has more to do with the weakness of the opposition than any unfairness in the electoral system.

After a series of antigovernment protests in 2017, the government denied several demonstration permits to the opposition, citing public security grounds.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

4/4

Voters and candidates are generally able to express their political choices without undue influence from actors that are not democratically accountable.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?

4/4

All adult citizens may vote. Women are underrepresented in politics generally. Out of 42 candidates in the 2019 elections, only 13 were women, and 8 won seats; although this was an improvement from the 2014 elections. There are three women serving as senators out of nine positions. The position of House speaker is held by a woman.

The indigenous Carib-Kalinago population participates in the political process, with members generally supporting one of the two major political parties. LGBT+ people face discrimination and are marginalized, impacting their ability to engage fully in political processes.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

4/4

The freely elected prime minister, cabinet, and national legislative representatives determine the policies of the government.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

3/4

While the government generally implements anticorruption laws effectively, domestic and international observers have raised concerns over Dominica's Citizenship by Investment (CBI) program, that allows foreigners to gain citizenship through an economic investment in the country. These have included persistent allegations that the government has sold diplomatic passports to noncitizens.

In 2017, the prime minister announced an interim policy to tighten the issuance of diplomatic passports, following a controversy in which an Iranian businessman

ensnared in a corruption scandal in Iran was found to hold a Dominican diplomatic passport. More information was exposed this year, when Al Jazeera published a story in November 2019, detailing how officials from both parties, including the prime minister, were willing to receive money in return for a political post. Prime Minister Skerrit, in particular, allegedly received hundreds of thousands of dollars in return for appointing an Iranian businessman as the Dominican ambassador to Malaysia.

In 2017, the US State Department described CBI as vulnerable and “susceptible to abuse by criminal actors.” It again criticized the program in 2018 and 2019. The 2019 report noted that “due diligence has been lax,” and that there are “increasing concerns about the expansion of these programs due to the visa-free travel and the ability to open bank accounts accorded these individuals.”

In June 2019, Dominica was removed from the European Union (EU) blacklist of tax havens, after the government changed its tax rules to comply with EU standards that seek to reduce risk of tax evasion.

C3 0-4 pts

Does the government operate with openness and transparency?	3/4
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The government of Dominica generally operates with openness and transparency, though there are concerns that the long-incumbent DLP has been less forthcoming in recent years with information on some programs, including CBI. Government officials are required to submit financial accounts, but these accounts are frequently incomplete.

Access to information is not protected by law, but the government makes efforts to provide information on many topics, and makes information related to the budget available online.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	3/4
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Freedom of expression is constitutionally guaranteed, and the press is generally free in practice. However, defamation remains a criminal offense punishable by imprisonment or fines. Defamation lawsuits and threats of lawsuits are commonly used by the Skerrit government against members of the media, resulting in some self-censorship. In addition, defamation lawsuits are used by business people to protect their interests. In 2017, leader of the UWP, Lennox Linton, was ordered to pay a significant fine in a case that went back 2002 when he was a journalist.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?	4/4
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Freedom of religion is protected under the constitution and other laws, and is generally respected in practice.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	4/4
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Academic freedom is generally respected.

D4 0-4 pts

Are individuals free to express their personal views on political or other	
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sensitive topics without fear of surveillance or retribution?

4/4

Individuals are generally free to express their personal views on political or other sensitive topics.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?

3/4

Freedom of assembly is guaranteed under the constitution, and the government has generally respected these rights. However, protests sometimes become violent, or give way to looting or acts of vandalism. Some unrest took place at opposition protests in 2017, and the prime minister characterized them as threats to state security. Later, several UWP members, including leader Lennox Linton, were charged with incitement and obstruction. The trials had not concluded by the end of 2019. In December 2018, riot police used tear gas against demonstrators with the Concerned Citizens Movement—a civil society group that often criticizes the government—who blocked a road and refused calls to disperse.

In the lead up to the 2019 general elections UWP protests at times were violent, blocked roads, burned debris, and disrupted normal life. Protesters confronted riot police in several instances, with no major injuries. When 200 people tried marching to the home of President Savarin in November, police fired rubber bullets and tear gas at them.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?

4/4

Nongovernmental organizations (NGOs) and advocacy groups generally operate without interference.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?

4/4

Workers have the right to organize, strike, and bargain collectively, and laws prohibit antiunion discrimination by employers. However, the country's definition of "essential" workers is broad, extending to those in the agricultural sector, and there are burdensome restrictions on the ability of these workers to strike.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?

4/4

An independent judiciary is provided for in the constitution, and judicial independence is generally respected. Courts are subordinate to the interisland Eastern Caribbean Supreme Court (ECSC).

F2 0-4 pts

Does due process prevail in civil and criminal matters?

4/4

The constitution provides for due process rights, and these are generally observed in practice. While the judicial system generally operates efficiently, staffing shortages remain a problem and can result in prolonged pretrial detention, which can last as long as 24 months.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

4/4

People in Dominica generally enjoy freedom from illegitimate force. The Dominica police force used rubber bullets and teargas to combat protests that turned violent in November 2019, in the lead up to the December elections. No major injuries were reported.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

3/4

Members of Dominica's small indigenous population, the Carib-Kalinago, face discrimination and a variety of accompanying challenges, including high poverty levels and difficulties in obtaining loans from banks. Rastafarians have reported discrimination and profiling by police. Same-sex sexual relations are illegal, though the relevant provisions of the Sexual Offences Act are not enforced. However, in July 2019, a gay man, who chose to remain anonymous for his own safety, filed a claim against Dominica's colonial era laws that criminalize same-sex sexual relations. Sexual harassment is not prohibited by law and remains a widespread problem.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

4/4

Individuals in Dominica generally enjoy freedom of movement, though those outside the established Carib-Kalinago community must apply for special access to the Carib Reserve area, which is granted by the Carib Council. There are no restrictions on people's ability to change their place of employment or education.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	4/4
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The government of Dominica supports both domestic and foreign investment. Property rights are generally safeguarded. However, women have more limited rights because property is deeded to the head of household, who is usually a man.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	3/4
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Women and children have some limitations on their personal freedoms, including freedom from violence. There is little protection against domestic abuse, and both violence against women and child abuse remain widespread problems.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?	4/4
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Revisions to labor laws have strengthened worker protections in recent years, though there are reports of violations of overtime laws in the tourism sector. The labor commissioner operates within the Justice Department, and is under resourced. The government has made efforts to address poverty and unemployment, including in the wake of Hurricane Maria, which devastated the island in 2017.

According to the most recent (2018) *Child Labor and Forced Labor Report* from the United States' Department of Labor, Dominica made minimal improvements in efforts to eliminate the most severe forms of child labor, which is a problem in the country.

On Dominica

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Country Facts

Global Freedom Score

93/100 Free

Other Years

2019

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